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No. 7

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. DEGETTE).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 12, 2021.

I hereby appoint the Honorable DIANA DEGETTE to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, Reverend Margaret Grun Kibben, offered the following prayer:

God, our Redeemer, we approach You humbly asking that You sanctify this day and the proceedings that are about to unfold. But we dare not ask Your favor until we receive Your forgiveness. We confess our complicity in the animosity and betrayal felt throughout our Nation. We pray Your forgiveness for the pride and selfish ambition lurking in the hearts of even the best of people. Have mercy on those who suffer the injustices we have unknowingly or knowingly perpetuated that have divided our country.

Don't give us up to these vain inclinations, but save us from ourselves. Preserve each of us, those who speak and those who hear, from being caught up in the hatred and vitriol ever present in these contentious deliberations.

Then give us the favor of Your presence among us, that our eyes will be open to the light of Your truth. In the transforming of our minds, may we discern Your will in these decisions of great import and national impact.

We pray these things in the strength of Your holy name.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Massachusetts (Ms. CLARK) come forward and lead the House in the Pledge of Allegiance.

Ms. CLARK of Massachusetts led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. CLARK of Massachusetts. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 35

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON ETHICS: Mr. Deutch, Chair.  
COMMITTEE ON RULES: Mr. McGovern, Chair; Mr. Hastings; Mrs. Torres of California; Mr. Perlmutter; Mr. Raskin; Ms. Scanlon; Mr. Morelle; Mr. DeSaulnier; and Ms. Ross.

The resolution was agreed to.  
A motion to reconsider was laid on the table.

### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. HUDSON. Madam Speaker, by direction of the Republican Conference, I

offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 36

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON ETHICS: Mrs. Walorski.  
COMMITTEE ON RULES: Mr. Cole, Mr. Burgess, Mrs. Lesko, Mr. Reschenthaler.

The resolution was agreed to.  
A motion to reconsider was laid on the table.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 4 minutes a.m.), the House stood in recess.

□ 1801

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 6 o'clock and 1 minute p.m.

### SWEARING IN OF MEMBERS-ELECT

The SPEAKER. Will the Representatives-elect please present themselves in the well.

Mrs. Salazar of Florida and Mr. Valadao of California appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The SPEAKER. Congratulations. You are now Members of the 117th Congress.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to Members-elect, the whole number of the House is now 433.

#### MOMENT OF SILENCE IN HONOR AND REMEMBRANCE OF UNITED STATES CAPITOL POLICE OFFICERS BRIAN D. SICKNICK AND HOWARD LIEBENGLOOD

The SPEAKER. The Chair would ask that all Members and staff present in the Chamber and throughout the Capitol please rise for a moment of silence in honor and remembrance of the dedication and service of the fallen United States Capitol Police Officers Brian D. Sicknick and Howard Liebengood.

#### RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1818

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROWN) at 6 o'clock and 18 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 21, CALLING ON VICE PRESIDENT PENCE TO CONVENE AND MOBILIZE THE CABINET TO ACTIVATE SECTION 4 OF THE 25TH AMENDMENT TO DECLARE PRESIDENT DONALD J. TRUMP INCAPABLE OF EXECUTING THE DUTIES OF HIS OFFICE; AND FOR OTHER PURPOSES

Ms. SCANLON, from the Committee on Rules, submitted a privileged report (Rept. No. 117-1) on the resolution (H. Res. 38) providing for consideration of the resolution (H. Res. 21) calling on Vice President MICHAEL R. PENCE to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President; and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H. RES. 21, CALLING ON VICE PRESIDENT PENCE TO CONVENE AND MOBILIZE THE CABINET TO ACTIVATE SECTION 4 OF THE 25TH AMENDMENT TO DECLARE PRESIDENT DONALD J. TRUMP INCAPABLE OF EXECUTING THE DUTIES OF HIS OFFICE; AND FOR OTHER PURPOSES

Ms. SCANLON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 38 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 38

*Resolved*, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 21) calling on Vice President Michael R. Pence to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President. The amendment to the preamble printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble, as amended, to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

SEC. 2. The prohibition against personality in debate shall not apply during consideration of measures specified in section 3 of this resolution with respect to references to the President.

SEC. 3. The measures referred to in section 2 of this resolution are as follows:

(a) House Resolution 21.

(b) Any special order of business providing for the consideration of House Resolution 24.

SEC. 4. (a) During a covered period designated pursuant to section 3(s) of House Resolution 8—

(1) the Sergeant-at-Arms is authorized and directed to impose a fine against a Member, Delegate, or the Resident Commissioner for the failure to wear a mask in contravention of the Speaker's announced policies of January 4, 2021; and

(2) a fine imposed pursuant to this section shall be treated as though imposed under clause 3(g) of rule II, and shall be administered as though pursuant to clause 4(d) of rule II, except that—

(A) the time periods described in clause 3(g)(3)(C) of rule II shall not commence until the Committee on Ethics has adopted written rules, and the chair of the Committee on Ethics shall notify all Members, Delegates, or the Resident Commissioner with pending appeals upon such commencement; and

(B) a fine subject to appeal under clause 3(g)(3) of rule II shall proceed unless dismissed within the time period provided under clause 3(g)(3)(C) of rule II.

(b) Subsection (a) establishes a standard of conduct within the meaning of clause 3(a)(2) of rule XI.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 1 hour.

Ms. SCANLON. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentleman from Oklahoma (Mr. COLE), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Ms. SCANLON. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Ms. SCANLON. Mr. Speaker, today the Rules Committee met and reported a closed rule, House Resolution 38, providing for consideration of House Resolution 21, calling on Vice President MICHAEL R. PENCE to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President.

The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary or a designee. The rule self-executes a manager's amendment by Chairman NADLER. The rule provides that the prohibition against engaging in personalities during debate, with respect to references to the President, shall not apply during consideration of House Resolution 21 or any special order of business relating to the impeachment of the President considered on January 13, 2021.

Finally, the rule authorizes and directs the Sergeant at Arms to impose a fine against a Member, Delegate, or the Resident Commissioner for the failure to wear a mask in contravention of the Speaker's announced policy on this subject for the duration of the pandemic.

Mr. Speaker, we are here today to debate the rule for House Resolution 21, a resolution calling for Vice President PENCE to invoke the 25th Amendment and declare President Donald Trump incapable of executing the duties of his office. We take this action solemnly and with grave concern for the safety and security of our Nation and its people, even in the final days of this President's administration.

Last Wednesday, a lawless mob breached this Chamber with the most evil and destructive intent. They were here to take the law into their own hands, to disrupt Congress as it counted the electoral college votes, and to overturn the lawful election of Joseph Biden as our 46th President.

As violent invaders broke windows and rammed doors, they chanted that they wanted to hang the Vice President and kidnap the Speaker of the House, and they brought the tools to do it. They beat one police officer to death, tased others, and tried to shoot one with his own gun. Another officer will likely lose an eye. Scores of others